

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**DAVID J. GALLANT, individually  
and on behalf of all others similarly  
situated,**

**Plaintiff,**

**v.**

**FOLEY DESIGN ASSOCIATES  
ARCHITECTS, INC. and WILLIAM  
H. FOLEY,**

**Defendants.**

**CIVIL ACTION FILE  
NO. 1:15-CV-4451-MHC**

**ORDER**

This matter is before the Court on the parties' Joint Motion to Approve a Fair Labor Standard Act Settlement and Release Agreement [Doc. 55] ("Joint Motion").

The Court reviewed the parties' Settlement Agreement [Doc. 55-1] to determine its adequacy and consistency with the requirements of the Fair Labor Standards Act, 29 U.S.C. § 216. See Lynn's Food Stores, Inc. v. United States, 679 F.2d 1350, 1353 (11th Cir. 1982). Based on its review of the parties' Settlement Agreement and the record in this case, the Court concludes: (1) the

terms of the Settlement Agreement are a fair, reasonable, and adequate resolution of this action; and (2) the Settlement Agreement was reached in an adversarial context where both parties had legal representation.

Upon consideration of the parties' Joint Motion, the Court **ORDERS** that the payment of the settlement amounts and attorney's fees shall be made as provided in the Settlement Agreement. Except as stated in the Settlement Agreement, each party shall bear its own costs of litigation, including attorney's fees.

Accordingly, the Court **GRANTS** the parties' Joint Motion to Approve a Fair Labor Standard Act Settlement and Release Agreement [Doc. 55] and **APPROVES** the parties' Settlement Agreement and hereby **DISMISSES** all claims in the above-styled action **WITH PREJUDICE**.

**IT IS SO ORDERED** this 30th day of December, 2016.



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MARK H. COHEN  
United States District Judge